

# John Gibbon

**#331636 | April 14, 2022**

## Testimony to **Portland City Council** on the **Environmental Overlay Zone Map Correction Project, Recommended Draft**

The staff comment on Quail Park's concerns regarding the Ezone expansion very accurately describes how drainageways affecting the project are configured. The only concern that I have regarding that narrative is that it might be read to indicate that the culvert that passes under SW Lancaster Road just south of its intersection with the Quail Post Road, the private road serving the project, was located in connection with the projects construction. Based on having actually once, as a first year Lewis & Clark law student observed work being completed on the Lancaster Road and having reviewed the historical USGS maps of the area I do not believe that to be the case. In fact I believe the location of the culvert necessitated a major earth moving project in the lower end of the project to relocate the predevelopment drainageway channel and develop locations for the roadway and some of the homesites nearest to the project's Lancaster entrance. The Quail Post Road LID approved by the council in the fall of 2020 as currently constituted is now entirely dependent on locating the second connection of the Quail Park water system to a PWB supply main in Lancaster Road. This connection at the least must pass through the expanded ezone travelling under the culvert over which Quail Post Road passes and may need to be connected to to the City system in the ezone area within the Lancaster ROW. Because this project is already underway albeit without the design of this connection yet prepared, the QPA Board believe the project as approved by the Council should expressly be considered vested as an adopted plan for purposes of using the ezone. The Board believes that this is necessary because the issue of whether the use of unimproved right of way SW Lancaster Place, having been considered in the development of the LID plan, should not again be considered another "reasonable" place for the water line development to occur. Assuring that the construction of the line in defined location doesn't negatively impact the resource is the only issue that should be considered in approving the plans for construction of this connection vital to the safety of the Quail Park community. Regarding the designation of the lower side drainage channel in Quail Park as an ezone we need clarification from the staff or the project, on how to deal with volunteer "stream center channelization" in this area. Quail Park owners have in the past been permitted to access parts of the common area adjacent to their property to which they can achieve safe access in order care for and modify its landscape to their taste , the location of one of the projects public pedestrian path pathways near to level with the stream's water flow has meant this area been so modified over the years. This has included changes in the character of the stream course through the inclusion and redistribution of decorative, sometimes spreading and sometimes channelizing the waters flow. Is, as the the result the area's inclusion in the ezone, is the HOA

allowed or in fact required to prohibit actions the effect the location and character of of the water flow?

Testimony is presented without formatting.